

certain non-routine uses of byproduct material for medical use; and providing technical assistance in licensing, inspection, and enforcement cases.

Committee members possess the medical and technical skills needed to address evolving issues. Currently the membership of the ACMUI consists of five practicing physicians; a physician representing the U.S. Food and Drug Administration; one nuclear pharmacist; one medical physicist; one representative with the States' perspective; and one patients' rights and care advocate. The specialties of the physicians on the ACMUI are: nuclear cardiology (one); therapeutic radiology, with expertise in teletherapy and brachytherapy (two); nuclear medicine research (one); and nuclear medicine (one). Nominations for the position of radiation therapy technologist/medical dosimetrist are currently being evaluated. The nominee for the position of health care administrator has been approved.

NRC is soliciting nominations of persons who are qualified in medical physics, with experience in radiation therapy. Persons having the aforementioned qualifications are encouraged to apply.

Nominees must include four copies of their resume, describing their educational and professional qualifications, and provide their current address and telephone number.

All new Committee members will serve a 2-year term, with possible reappointment to two additional 2-year terms.

Nominees must be U.S. citizens and be able to devote approximately 80 hours per year to committee business. Members will be compensated and reimbursed for travel (including per diem in lieu of subsistence), secretarial, and correspondence expenses. Nominees will undergo a security background check and will be required to complete financial disclosure statements, to avoid conflict of interest issues.

Dated at Washington, DC, this 3rd day of January, 1995.

For the Nuclear Regulatory Commission.  
**Andrew L. Bates,**

*Advisory Committee Management Officer,  
Office of the Secretary of the Commission.*  
[FR Doc. 95-402 Filed 1-6-95; 8:45 am]

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[Docket No. 50-133]

**Pacific Gas and Electric Company;  
Humboldt Bay Nuclear Power Station;  
Notice of Temporary Closing of Local  
Public Document Room**

Notice is hereby given that the Humboldt County Library, Eureka, California, which serves as the local public document room (LPDR) for the Pacific Gas and Electric Company's Humboldt Bay Nuclear Power Station, will be temporarily closed for approximately six weeks due to structural damage to the library building from the December 26, 1994, earthquake.

Persons interested in using the LPDR collection during this period are asked to contact the NRC LPDR staff for assistance, at (800) 638-8081, toll-free. Every effort will be made to meet the informational needs of patrons.

Patrons outside the service area of the LPDR may address their requests for records to the NRC's Public Document Room, 2120 L Street, NW. (Lower-Level), Washington, DC 20555, telephone number (202) 634-3273.

Questions concerning the NRC's LPDR program or the availability of documents pertaining to the Humboldt Bay Nuclear Power Station should be addressed to Ms. Jona Souder, LPDR Program Manager, Freedom of Information Act/Local Public Document Room Branch, U.S. Nuclear Regulatory Commission, Washington, DC 20555, telephone number (800) 638-8081.

Dated at Rockville, Maryland, this 3d day of January 1995.

For the Nuclear Regulatory Commission.  
**Carlton C. Kammerer,**

*Director, Division of Freedom of Information  
and Publications Services, Office of  
Administration.*

[FR Doc. 95-403 Filed 1-6-95; 8:45 am]

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[Docket Nos. 50-424-OLA-3; 50-425-OLA-3; Re: License Amendment (Transfer to Southern Nuclear) ASLBP No. 96-671-01-OLA-3]

**Georgia Power Company, et al. (Vogtle  
Electric Generating Plant, Units 1 and  
2); Evidentiary Hearing,**

January 3, 1995.

Pursuant to 10 CFR 2.752, a public evidentiary hearing will begin at 1 pm, January 9, 1995, and continue to the 14th in Courtrooms 810 and 812 in the Russell Building, 75 Spring Street, NW., Atlanta, Georgia.

This hearing began on January 4, 1994, in Rockville, Maryland. Its purpose is to receive evidence

concerning alleged misrepresentations about an alleged illegal transfer of operating authority for the Vogtle Plant.

For the Atomic Safety and Licensing Board.

**Peter B. Bloch,**

*Chair.*

[FR Doc. 95-401 Filed 1-6-95; 8:45 am]

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[Docket Nos. 50-327 and 50-328]

**Tennessee Valley Authority Sequoyah  
Nuclear Plant, Units 1 and 2;  
Consideration of Issuance of  
Amendments to Facility Operating  
License, Proposed No Significant  
Hazards Consideration Determination,  
and Opportunity for a Hearing**

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License Nos. DPR-77 and DPR-79, issued to the Tennessee Valley Authority (TVA or the licensee), for operation of the Sequoyah Nuclear Plant, Units 1 and 2 located in Soddy-Daisy, Tennessee.

The proposed amendments would add a permissive statement to Surveillance Requirement 4.9.7.1 that will allow the auxiliary building bridge crane interlocks and physical stops to be defeated during implementation of the spent fuel pool (SFP) storage capacity increase modification (rerack). This modification was approved by Amendment Nos. 167 and 157 for Unit 1 and Unit 2 respectively, dated April 28, 1993.

The original request and subsequent amendments described the implementation of the SFP storage capacity increase modification in detail, but did not explicitly address the need to actually bypass the crane interlocks and remove the physical stops. This need was implied since the crane would have to be positioned above the SFP to remove and replace the racks. However, when the reracking began, a concern was raised that the inability to perform the crane interlock and physical stops surveillance test was not explicitly allowed by the amendments or the technical specifications. As a result, the reracking has been stopped at considerable expense to the utility and will result in schedule slippage. Also, the components are in an interrum configuration with equipment and tools temporarily in a standby status. Since it is desirable to complete the modification without delay in order to ensure adequate off-load capability, the amendments are being processed on an exigent basis.

Before issuance of the proposed license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

Pursuant to 10 CFR 50.91(a)(6) for amendments to be granted under exigent circumstances, the NRC staff must determine that the amendment request involves no significant hazards consideration. Under the Commission's regulations in 10 CFR 50.92, this means that operation of the facility in accordance with the proposed amendments would not (1) involve a significant increase in the probability or consequences of an accident previously evaluated; or (2) create the possibility of a new or different kind of accident from any accident previously evaluated; or (3) involve a significant reduction in a margin of safety. As required by 10 CFR 50.91(a), the licensee has provided its analysis of the issue of no significant hazards consideration, which is presented below:

TVA has evaluated the proposed technical specification (TS) change and has determined that it does not represent a significant hazards consideration based on criteria established in 10 CFR 50.92(c). Operation of Sequoyah Nuclear Plant (SQN) in accordance with the proposed amendment will not:

1. Involve a significant increase in the probability or consequences of an accident previously evaluated.

The SQN TSs prohibit loads in excess of 2100 pounds from travel over fuel assemblies in the spent-fuel pool and require the associated crane interlocks and physical stops to be periodically demonstrated operable. During the installation process, the crane interlocks and physical stops must be defeated to allow the removal and installation of racks and associated tools to be moved over the spent-fuel pool. Additionally, administrative controls are in place to return the crane interlocks and physical stops to an operable status after each phase of crane use. It should be noted movement over fuel in the spent-fuel pool is prohibited. Therefore, the defeat of the interlocks and physical stops does not involve a significant increase in the probability or consequences of an accident previously evaluated.

2. Create the possibility of a new or different kind of accident from any previously analyzed.

A fuel movement and rack change-out sequence has been developed that illustrates that it will not be necessary to carry existing or new racks over fuel in the cask loading area or any region of the pool containing fuel. A lateral-free zone clearance from stored fuel shall be maintained.

Accordingly, it can be concluded that the bypassing of the interlocks and removal of the physical stops does not create the possibility of a new or different kind of accident from any previously analyzed.

3. Involve a significant reduction in a margin of safety.

The SQN rerack project will ensure maximum emphasis to mitigate the potential load-drop accident by implementing measures to eliminate shortcomings in all aspects of the operation. Elimination of shortcomings will be accomplished by comprehensive training of the installation crew, redundancies built in lifting devices, procedures to address each phase of the project, and prohibitions of lifts over fuel assemblies in the spent-fuel pool. Therefore, defeating the crane interlock and physical stops to perform the required lifts does not involve a significant reduction in a margin of safety.

The NRC staff has reviewed the licensee's analysis and, based on this review, it appears that the three standards of 10 CFR 50.92(c) are satisfied. Therefore, the NRC staff proposed to determine that the amendment request involves no significant hazards consideration.

The Commission is seeking public comments on this proposed determination. Any comments received within 15 days after the date of publication of this notice will be considered in making any final determination.

Normally, the Commission will not issue the amendments until the expiration of the 15-day notice period. However, should circumstances change during the notice period, such that failure to act in a timely way would result, for example, in derating or shutdown of the facility, the Commission may issue the license amendment before the expiration of the 15-day notice period, provided that its final determination is that the amendments involve no significant hazards consideration. The final determination will consider all public and State comments received. Should the Commission take this action, it will publish in the **Federal Register** a notice of issuance. The Commission expects that the need to take this action will occur very infrequently.

Written comments may be submitted by mail to the Rules Review and Directives Branch, Division of Freedom of Information and Publications Services, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and should cite the publication date and page number of this **Federal Register** notice. Written comments may also be delivered to Room 6D22, Two White Flint North, 11545 Rockville Pike, Rockville Maryland, from 7:30 a.m. to 4:15 p.m. Federal workdays. Copies of written comments received may be examined at the NRC Public Document Room, the

Gelman Building, 2120 L Street, NW., Washington, DC.

The filing of requests for hearing and petitions for leave to intervene is discussed below.

By January 24, 1995, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and a petition for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. Interested persons should consult a current copy of 10 CFR 2.714 which is available at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC and at the local public document room located at the Chatanooga-Hamilton County Library, 1101 Broad Street, Chattanooga, Tennessee 37402. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to 15 days prior to the first prehearing conference scheduled in the proceeding, but such an amended

petition must satisfy the specificity requirements described above.

Not later than 15 days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing.

The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

If the amendment is issued before the expiration of the 30-day hearing period, the Commission will make a final determination on the issue of no significant hazards consideration. If a hearing is requested, the final determination will serve to decide when the hearing is held.

If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment.

If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

A request for a hearing or a petition for leave to intervene must be filed with

the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to Mr. Frederick J. Hebdon: petitioner's name and telephone number, date petition was mailed, plant name, and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to General Council, Tennessee Valley Authority, ET 11H, 400 West Summit Hill Drive, Knoxville, Tennessee 37902, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

For further details with respect to this action, see the application for amendment dated January 3, 1995, which is available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, and at the local public document room, located at the Chattanooga-Hamilton County Library, 1101 Broad Street, Chattanooga, Tennessee 37402.

Dated at Rockville, Maryland, this 4th day of January 1995.

For the Nuclear Regulatory Commission.

**David E. LaBarge,**

*Sr. Project Manager, Project Directorate II-4, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-35187; File No. SR-BSE-94-12]

### Self-Regulatory Organizations; Boston Stock Exchange, Inc.; Order Approving Proposed Rule Change and Amendment No. 1 to Proposed Rule Change Relating to its Specialist Performance Evaluation Program

December 30, 1994.

#### I. Introduction

On October 3, 1994, the Boston Stock Exchange, Inc. ("BSE" or "Exchange") submitted to the Securities and Exchange Commission ("SEC" or "Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to extend its Specialist Performance Evaluation Program ("SPEP" or "Evaluation Program"), which currently incorporates objective measures of specialist performance, for an additional twelve-month period.<sup>3</sup> On October 6, 1994, the Exchange submitted Amendment No. 1 to the proposed rule change in order to correct certain typographical errors.

The proposed rule change, together with Amendment No. 1, was published for comment in Securities Exchange Act Release No. 34819 (October 11, 1994), 59 FR 52327 (October 17, 1994). No comments were received on the proposal. This order approves proposed rule change, including Amendment No. 1.

#### II. Description of the Proposal

The Exchange proposes to extend its Specialist Performance Evaluation

<sup>1</sup> 15 U.S.C. 78s(b)(1) (1988).

<sup>2</sup> 17 CFR 240.19b-4 (1991).

<sup>3</sup> The Commission initially approved the BSE's SPEP pilot program in Securities Exchange Act Release No. 22993 (March 10, 1986), 51 FR 8298 (March 14, 1986) (File No. SR-BSE-84-04). The Commission subsequently extended the pilot program in Securities Exchange Act Release Nos. 26162 (October 6, 1988), 53 FR 40301 (October 14, 1988) (File No. SR-BSE-87-06); 27656 (January 30, 1990), 55 FR 4296 (February 7, 1990) (File No. SR-BSE-90-01); 28919 (February 26, 1991), 56 FR 9990 (March 8, 1991) (File No. SR-BSE-91-01); and 30401 (February 24, 1992), 57 FR 7413 (March 2, 1992) (File No. SR-BSE-92-01). The BSE was permitted to incorporate objective measures of specialist performance into its pilot program in Securities Exchange Act Release No. 31890 (February 19, 1993), 58 FR 11647 (February 26, 1993) (File No. SR-BSE-92-04) ("February 1993 Approval Order"), at which point the initial pilot program ceased to exist as a separate program. Commission approval of the BSE's current SPEP pilot program expires on December 31, 1994. See Securities Exchange Act Release No. 33341 (December 15, 1993), 58 FR 67875 (December 22, 1993) (File No. SR-BSE-93-16) ("December 1993 Approval Order").